



COUNTY OF LOS ANGELES
TREASURER AND TAX COLLECTOR
 KENNETH HAHN HALL OF ADMINISTRATION
 500 WEST TEMPLE STREET, ROOM 437
 LOS ANGELES, CA 90012



MARK J. SALADINO
 TREASURER AND TAX COLLECTOR

ADOPTED

BOARD OF SUPERVISORS
 COUNTY OF LOS ANGELES

June 15, 2010

The Honorable Board of Supervisors
 County of Los Angeles
 383 Kenneth Hahn Hall of Administration
 500 West Temple Street
 Los Angeles, California 90012

16 JUNE 15, 2010

Sachi A. Hamai
 SACHI A. HAMAI
 EXECUTIVE OFFICER

Dear Supervisors:

**AGREEMENT TO PURCHASE
 "TAX DEFAULTED SUBJECT TO POWER TO SELL" PROPERTY
 SUPERVISORIAL DISTRICT 4 - AGREEMENT 2660
 (3 VOTES)**

SUBJECT

The Puente Hills Landfill Native Habitat Preservation Authority is seeking to buy one (1) tax-defaulted property through the Chapter 8 Agreement sale process. The Chapter 8 Agreement sale is designed to allow eligible government agencies and non-profit organizations the opportunity to buy tax defaulted properties for a qualifying public purpose or benefit. The Puente Hills Landfill Native Habitat Preservation Authority intends to utilize the property for permanent open space and public parkland purposes.

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Chair to sign the Purchase Agreement of "Tax Defaulted Subject to Power to Sell" property being acquired by the Puente Hills Landfill Native Habitat Preservation Authority (public agency) pursuant to the Revenue and Taxation Code, with revenue to be provided to recover a portion, if not all, of back property taxes, penalties, and costs on the delinquent parcel and any remaining tax balance to be cancelled from the existing tax rolls; and approve publication of the Purchase Agreement of "Tax Defaulted Subject to Power to Sell" property.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The property described in the agreement may be sold in accordance with the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code and with the policy adopted by Board action

on November 24, 1970. Exhibit "A" attached to the Agreement, indicates the legal description and selling price of the parcel.

Upon approval, the attached agreement is to be signed by the Chair and returned to the Tax Collector for transmittal to the State Controller for further approval. County Counsel has approved the agreement as to form.

The Chapter 8 Agreement sale procedure permits public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties without the necessity of a public auction. The property described in this letter will be acquired by one (1) public agency. The agreement is with the Puente Hills Landfill Native Habitat Preservation Authority, which intends to utilize the property for permanent open space and public parkland.

Implementation of Strategic Plan Goals

Approval of the agreement is in accordance with the Countywide Strategic Plan Goals of Fiscal Responsibility and Collaboration Across Jurisdictional Boundaries. Delinquent property taxes and costs are recovered, and limited-use parcel is identified for appropriate public purposes.

FISCAL IMPACT/FINANCING

Revenue will be provided to the County for apportionment among the affected taxing agencies, which will recover a portion, if not all, of back property taxes, penalties, and costs on the delinquent parcel. Any remaining tax balance will be cancelled from the existing tax roll.

Existing appropriation is available in the Treasurer and Tax Collector budget for publication costs. Publishing, in accordance with Section 3798 of the Revenue and Taxation Code, is the most cost-effective method of giving adequate notification to parties of interest.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Chapter 8 Agreement sale procedure permits eligible public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties pursuant to Section 3791, et seq., of the Revenue and Taxation Code.

Attachment "A" is a summary of the public agency's purchase. This attachment indicates the affected Supervisorial District and the public use for which the property is being acquired. County Counsel has approved the agreement as to form. Attached to the agreement is the Assessor's parcel map showing the dimensions and general location of the affected parcel.

Efforts will be made to contact the owners and parties of interest to inform them of their tax liabilities and the provisions for the redemption of the property pursuant to Section 3799 of the Revenue and Taxation Code.

Section 3798 of the Revenue and Taxation Code mandates notice of agreements to be published once a week for three (3) successive weeks in a newspaper of general circulation published in the County.

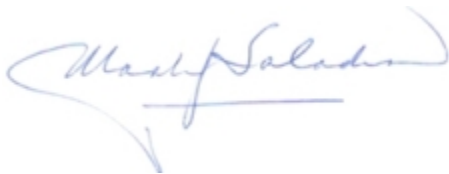
IMPACT ON CURRENT SERVICES (OR PROJECTS)

No impact.

CONCLUSION

Upon approval of the attached agreement forms, the Department of Treasurer and Tax Collector will need all original documents returned for submission to the State Controller, as the State Controller's Office has the final approval of this and all Chapter 8 Agreements.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mark J. Saladino", with a horizontal line underneath the name.

MARK J. SALADINO
Treasurer and Tax Collector

MJS:DJD:af

Enclosures

c: Assessor
Auditor-Controller
Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

SUMMARY OF PUBLIC AGENCY'S PURCHASE

FOURTH SUPERVISORIAL DISTRICT

AGREEMENT NUMBER 2660

AGENCY

Puente Hill Landfill Native
Habitat Preservation Authority
Public Agency

Selling price of this parcel
shall be \$ 2,164.00

Public Agency intends to utilize
the property for permanent open
space & public parkland purposes.

SUPERVISORIAL
DISTRICT

LOCATION

PARCEL
NUMBER

MINIMUM
BID

4th

CITY OF LA HABRA HEIGHTS

8239-045-018

\$ 2,164.00

AGREEMENT NUMBER 2660

**PUENTE HILLS LANDFILL
PRESERVATION AUTHORITY**

FOURTH SUPERVISORIAL DISTRICT



Puente Hills Landfill
Native Habitat Preservation Authority

June 18, 2009

Donna J. Doss
Assistant Treasurer and Tax Collector
County of Los Angeles
Treasurer and Tax Collector
Kenneth Hahn Hall of Administration
225 North Hill Street, Room 130
P.O. Box 512102
Los Angeles, CA 90051-0102

Re: Acquiring Property through a Chapter 8 Agreement sale

Dear Ms. Doss:

We are interested in purchasing the property listed below.

The Puente Hills Landfill Native Habitat Preservation Authority (Habitat Authority) is authorized to enter Chapter 8 Agreements with Los Angeles County for properties that are tax-delinquent and scheduled for public auction. The Habitat Authority officially elects to reserve from sale the following parcels under the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code. The properties are being acquired for permanent open space and public parkland purposes.

Assessor's Parcel Number	Item Number	Public purpose of this acquisition
8239-045-018	1145	Permanent open space and public parkland

The Habitat Authority is a joint powers authority with a Board of Directors consisting of the City of Whittier, County of Los Angeles, Sanitation Districts of Los Angeles County and Hacienda Heights Improvement Association. The Habitat Authority came into existence in 1994 as mitigation for the Puente Hills Landfill. The purpose of the Habitat Authority is to acquire, restore and maintain open space in the Puente Hills as a permanent protection for the native habitat.

As per your request in your letter dated May 19, 2009, I have enclosed the following:

- Our Mission Statement
- Preliminary research fee of \$100 (\$100 for each property listed above)

Please feel free to contact me with any questions or concerns you may have. Thank you in advance for your help.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Gullo", with a stylized, flowing script.

Andrea Gullo
Executive Director

Enclosures

Application to Purchase Tax-Defaulted Property from County

This application is to be completed by eligible purchasing entities to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Please complete the following sections and supply supporting documentation accordingly. Completion of this application does not guarantee purchase approval.

A. Purchaser Information

1. Name of Organization: Puente Hills Landfill Native Habitat Preservation Authority
2. Corporate Structure – check the appropriate box below and provide corresponding information:
 - ☐ Nonprofit – provide Articles of Incorporation
 - ☒ Public Agency – provide mission statement (If redevelopment agency, also provide agency survey map)

B. Purchasing Information

Determine which category the parcel falls under and then check the appropriate box as it relates to the purchasing entity's corporate structure and the intended use of the parcel:

Category A: Parcel is currently scheduled for a Chapter 7 tax sale

- ☐ No Purchase – State / county / taxing agency registering objection to preserve lien only
- ☐ Purchase by State / county / tax agency / revenue district / redevelopment agency / special district to preserve its lien
- ☒ Purchase by State / county / tax agency / revenue district / redevelopment agency / special district for public purpose
- ☐ Purchase by nonprofit for low-income housing or to preserve open space

Category B: Parcel is **not** currently scheduled for a Chapter 7 tax sale

- ☐ Purchase by State / county / taxing agency / revenue district / redevelopment agency / special district for public purpose
- ☐ Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space

C. Property Detail

Provide the following information. If more space is needed for any of the criteria, consolidate the information into a separate "Exhibit" document and attach accordingly:

1. County where the parcel(s) is located: Los Angeles County
2. List each parcel by Assessor's Parcel Number: 8239-045-018
3. State the purpose and intended use for each parcel: permanent open space and
public parkland

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer

Andrea Galt
Authorized Signature

Exec. Director
Title

10/2/09
Date

Puente Hills Landfill Native Habitat Preservation Authority
Resolution No. 2009-05

A Resolution of the Board of Directors
Acquisition

WHEREAS, the Puente Hills Landfill Native Habitat Preservation Authority (Habitat Authority) was created pursuant to Government Code Section 6500 in 1994 for the purpose to acquire, restore, and maintain open space in the Whittier/Puente Hills as a permanent protection for the native habitat, and;

WHEREAS, the mission of the Habitat Authority, states it is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency will endeavor to provide opportunities for outdoor education and low-impact recreation, and;

WHEREAS, the assessor parcel number 8239-045-018 is located within La Habra Heights, and is available for purchase pursuant to the provision of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code, through the Secured Property Tax Division of the County of Los Angeles Treasurer and Tax Collector.

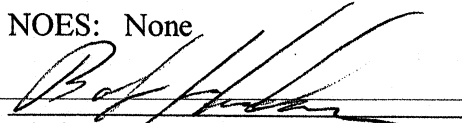
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors the following:

1. That the Habitat Authority purchase the above-mentioned parcel in an amount of approximately two thousand one hundred and sixty-four dollars (\$2,164), plus associated taxes, and fee costs for the County to record a deed for the purchase of the above-mentioned parcel for open space purposes.
2. That the Executive Director or Chairman are appointed as agents to conduct all negotiations, execute and submit all documents, which may be necessary for the completion of acquisition.
3. The Chairman of the Board of Directors shall be given approval to sign this Resolution on behalf of the Board and the Secretary to the Board of Directors shall certify to the passage and adoption thereof.

APPROVED AND ADOPTED at a special meeting held on the 6th day of August, 2009.

AYES: Chan, Hughes, Simmons, Henderson

NOES: None


Chairman, Board of Directors

ATTEST:


Secretary to the Board of Directors



Puente Hills Landfill
Native Habitat Preservation Authority

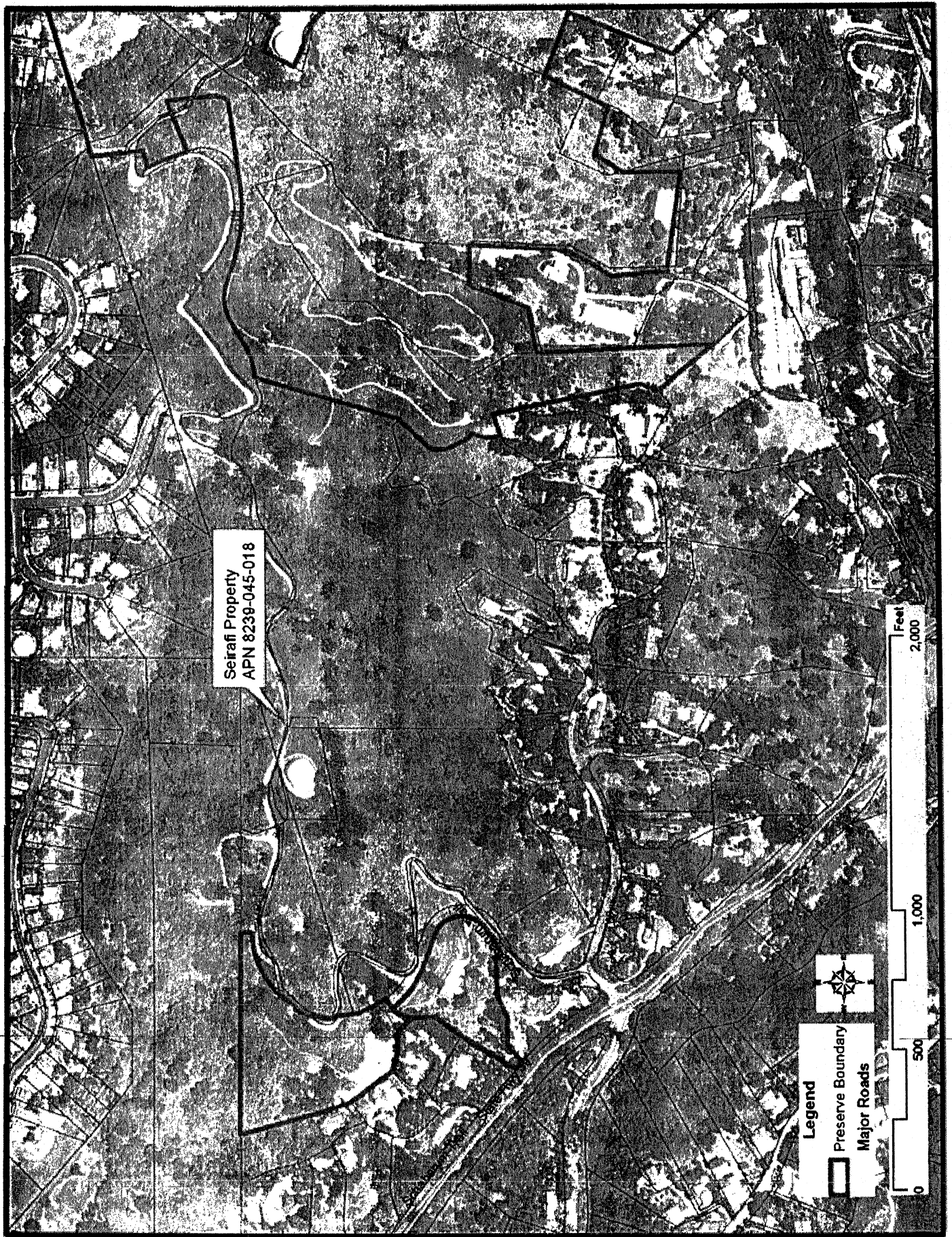
Our Vision

The Puente Hills region has unique, irreplaceable natural resources with vibrant and diverse wildlife. The Puente Hills Landfill Native Habitat Preservation Authority is a public agency created to protect and preserve the native habitat in the Puente Hills for the benefit of our natural resources.

Our Mission

The Puente Hills Landfill Native Habitat Preservation Authority is dedicated to the acquisition, restoration, and management of open space in the Puente Hills for preservation of the land in perpetuity, with the primary purpose to protect the biological diversity. Additionally, the agency will endeavor to provide opportunities for outdoor education and low-impact recreation.

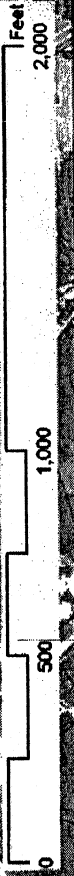




Serafi Property
APN 8239-045-018

Legend

- Preserve Boundary
- Major Roads



**AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)**

This Agreement is made this 15th day of June, 2010, by and between the Board of Supervisors of Los Angeles County, State of California, and the **PUENTE HILLS LANDFILL NATIVE HABITAT PRESERVATION AUTHORITY** ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit "A" within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the tax collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. *That the PURCHASER agrees that the real property be used for the public use specified on Exhibit "A" of this agreement.*
4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

77303

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By [Signature]
Deputy County Counsel

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHIA A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy

If all or any portion of any individual parcel listed in Exhibit "A" is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

X: ID: Chptr 8 Pubagency form
Revised 6/24/03

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

16

JUN 15 2010

[Signature]
SACHIA A. HAMAI
EXECUTIVE OFFICER



AGREEMENT NUMBER 2660

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST:
PUENTE HILLS LANDFILL NATIVE
HABITAT PRESERVATION AUTHORITY

By *[Signature]*
Chairman



(Seal)

ATTEST:

Board of Supervisors
Los Angeles County

By *Sachi A. Hamae*
Clerk of the Board of Supervisors

By *[Signature]*
Chair of the Board of Supervisors

By *Lachelle Smitherman*
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the **City of La Habra Heights** hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of La Habra Heights

Maura Olson

By *[Signature]*
Mayor

(seal)

This agreement was submitted to me before execution by the board of supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.

[Signature]
Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ____ day of _____, 20__.

By: _____, STATE CONTROLLER

AGREEMENT NUMBER 2660

77303

SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2660

EXHIBIT "A"

<u>LOCATION</u>	<u>FIRST YEAR DELINQUENCY</u>	<u>DEFAULT NUMBER</u>	<u>PURCHASE PRICE</u>	<u>PURPOSE OF ACQUISITION</u>
CITY OF LA HABRA HEIGHTS	2001	8239-045-018	\$2,164.00*	PERMANENT OPEN SPACE & PUBLIC PARKLAND

**LEGAL
DESCRIPTION**

*TR=NORTHERN PART OF RANCHO LA HABRA*LOT COM AT MOST S, SE COR OF LAND DESC IN DOC NO 1039418, 81-10-21 TO LA HABRA HEIGHTS CO WATER DIST TH SE ON A CURVE CONCAVE TO SW (R=169.18 FT) 36.79 FT TH SE ON A CURVE CONCAVE TO NE (R=500 FT) TO A LINE WHICH EXTENDS N FROM MOST N COR OF LOT 17 TR NO 12684 TH S ON SD EXTENDED LINE TO NE LINE OF LAND DESC IN DOC NO 1282274, 82-12-22 TO LA HABRA HEIGHTS CO WATER DIST TH N 71°21'02" W TO BEG

The purchase price quoted on this Exhibit "A" is a projection of the purchase price for a schedule of eight (8) months. If the agreement is completed in less time, then the purchase price will be decreased; however if the completion of the agreement is longer than this time, the price will increase accordingly.